

SENATE BILL 853

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2lr2653
CF 2lr2736

By: **Senator Klausmeier**

Introduced and read first time: February 3, 2012

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Public School Employees – Collective Bargaining Units**

3 FOR the purpose of altering the definition of “public school employee” as it relates to
4 collective bargaining units of employees in Baltimore County; altering the
5 composition of a certain unit of certain employees in Baltimore County;
6 establishing a certain unit of certain employees in Baltimore County; providing
7 for a delayed effective date; and generally relating to collective bargaining units
8 for public school employees in Baltimore County.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 6–401(e), 6–404(c), and 6–505(c)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Education**

17 6–401.

18 (e) (1) “Public school employee” means a certificated professional
19 individual who is employed by a public school employer or an individual of equivalent
20 status in Baltimore City, except for a county superintendent or an individual
21 designated by the public school employer to act in a negotiating capacity as provided
22 in § 6–408(c) of this subtitle.

23 (2) In Montgomery County, “public school employees” include:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Certificated and noncertificated substitute teachers
2 employed by the public school employer for at least 7 days before March 1 of the school
3 fiscal year ending June 30, 1978, and each year after; and

4 (ii) Home and hospital teachers employed by the public school
5 employer for at least 7 days before March 1 of the school fiscal year ending June 30,
6 2000, and each year after.

7 (3) In Baltimore County, “public school employee” includes[:

8 (i) A] A secondary school nurse, an elementary school nurse,
9 and a special school nurse[; and

10 (ii) Supervisory noncertificated employees as defined under §
11 6–501(i) of this title].

12 (4) In Frederick County, “public school employee” includes a social
13 worker employed by a public school employer.

14 (5) In Prince George’s County, “public school employee” includes home
15 and hospital teachers and Junior Reserve Officer Training Corps (JROTC) instructors.

16 (6) In Calvert County, Charles County, and Garrett County, “public
17 school employee” includes Junior Reserve Officer Training Corps (JROTC) instructors.

18 (7) In Carroll County, “public school employee” includes:

19 (i) A registered nurse; and

20 (ii) Supervisory noncertificated employees as defined under §
21 6–501(i) of this title.

22 6–404.

23 (c) (1) There may not be more than two units in a county.

24 (2) In Baltimore County, one of the [two] units shall consist of
25 employees [whose position requires an administrative and supervisory certificate and
26 supervisory noncertificated employees as defined under § 6–501(i) of this title] **WHO**
27 **ARE SUPERVISORY CERTIFICATED EMPLOYEES**. The second unit shall consist of all
28 other public school employees as defined under § 6–401(e)(1) and (3) of this subtitle.

29 6–505.

1 (c) (1) Except as provided in [paragraph (5)] **PARAGRAPHS (3) AND (5)**
2 of this subsection, there may not be more than three units in a county and a unit may
3 not include both supervisory and nonsupervisory employees.

4 (2) If a county has more than three recognized units and, as of July 1,
5 1974, the units have exclusive representation for collective negotiations, these units
6 may continue as negotiating units.

7 (3) In Baltimore County[, there]:

8 **(I) THERE** shall [only] be three nonsupervisory units [in
9 addition to the supervisory unit defined under § 6-404(c)(2) of this title]; **AND**

10 **(II) ONE NONCERTIFICATED UNIT OF SUPERVISORY**
11 **EMPLOYEES AS DEFINED IN § 6-501(I) OF THIS SUBTITLE.**

12 (4) In Carroll County, beginning on October 1, 2007:

13 (i) There shall be no more than three units; and

14 (ii) All units shall be nonsupervisory units.

15 (5) In Baltimore City, the public school employer may designate a
16 fourth unit composed of all Baltimore City school police officers, as defined in § 4-318
17 of this article, up to and including the rank of lieutenant.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2013.